# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 09/755,815 | 01/05/2001 | Lester T. Yoshida | 11314/3 | 5410 |

| | | | EXAMINER |
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| 757 7590 08/11/2006 | | | DARNO, PATRICK A |

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| ART UNIT | PAPER NUMBER |
|---|---|
| 2163 | |

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *03 February 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-41* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

1.     Claims 1-41 are pending in this office action.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.     Claims 1-10, 13, 14-16, 26-34, 35, and 37-41 are rejected under 35 U.S.C.

102(e) as being anticipated by U.S. Patent Number 6,823,2263 issued to Terence F.

Kelly et al. (hereinafter "Kelly").

## Claim 1:

Kelly discloses a weather-based decision making method utilizing an input device

and at least one server, said method comprising the steps of:

receiving a user input comprising a user preference profile for a specific activity

(Kelly: column 4, lines 4-11 and column 5, lines 7-21);

comparing the user preference profile with stored weather information (Kelly:

column 4, lines 12-22 and column 6, lines 8-14); and

providing the user with one of a plurality of suggested future times during a day,

a date, and a suggested location for the specific activity based on the input received

from the user (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14).

## Claim 2:

Kelly discloses all the elements of claim 1, and Kelly further discloses wherein:

said step of receiving a user preference profile comprises the step of receiving the user preference profile for at least one activity through a computer coupled to a web server through a wide-area-network (Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines 45-48);

said step of comparing the user preference profile comprises comparing the user preference profile with the stored weather information through the web server (Kelly: column 4, lines 12-22 and column 6, lines 8-14); and

said step of providing the user with one of a plurality of suggested future times during a day, a date, and a suggested location for the specific activity comprises providing the user with a suggested future time of day, a date, and a suggested location (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14).

## Claim 3:

Kelly discloses all the elements of claim 1, as noted above, and Kelly further discloses wherein:

said step of receiving a user profile comprises the step of receiving weather parameters including at least one of precipitation, wind, air temperature, humidity, location, road conditions, cross winds, visibility, and time through a web-based device

coupled to a web server through an internet (Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines 45-48 and Fig. 4a and 4b);

said step of comparing the user preference profile comprises comparing the user preference profile with the stored weather information through the web server coupled to an application server and database server (Kelly: column 4, lines 12-22 and column 6, lines 8-14);

said step of providing the user with one of a plurality of suggested future times during a day, a date, and a suggested location for the specific activity comprises providing the user with a suggested future time of day, a date, and a suggested location for the specific activity through the internet (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and Fig. 1).

## Claim 4:

Kelly discloses all the elements of claim 1, as noted above, and Kelly further discloses the step of receiving updated weather information and storing the weather related information in a weather database (Kelly: column 4, lines 36-41).

## Claim 5:

Kelly discloses all the elements of claim 4, as noted above, and Kelly further discloses wherein comparing the user preference profile comprises the step of comparing the user preference profile with information contained in the weather database (Kelly: column 4, lines 12-22 and column 6, lines 8-14).

## Claim 6:

Kelly discloses all the elements of claim 4, as noted above, and Kelly further

discloses the step of monitoring the weather database and providing updated

information to the user (Kelly: column 4, lines 22-26).

**Claim 7:**

Kelly discloses all the elements of claim 1, as noted above, and Kelly further

discloses the step of warning the user when input weather parameters have been

exceeded (Kelly: column 6, lines 8-14).

**Claim 8:**

Kelly discloses all the elements of claim 1, as noted above, and Kelly further

discloses the step of warning the user when input weather parameters have been met

(Kelly: column 6, lines 8-14).

**Claim 9:**

Kelly discloses all the elements of claim 1, as noted above, and Kelly further

discloses the step of determining whether one or more input weather parameters have

been exceeded (Kelly: column 6, lines 8-14).

**Claim 10:**

Kelly discloses all the elements of claim 1, as noted above, and Kelly further

discloses the step of determining whether one or more input parameters have been met

(Kelly: column 6, lines 8-14).

**Claim 13:**

Kelly discloses all the elements of claim 1, as noted above, and Kelly further

discloses wherein said step of providing the user with one of the plurality of suggested

future times during the day and the suggested location comprises the step of providing

the user with at least one of a plurality of suggested clock times and providing the user

with the suggested location (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and

column 6, lines 8-14).

## Claim 14:

Kelly discloses all the elements of claim 1, as noted above, and Kelly further

discloses wherein providing the user with one of the suggested future times during the

day, the date, and the suggested location comprises the step of creating an entry in a

personal electronic calendar for a clock time and a location at which weather

parameters in the user preference profile are forecasted to be at least one of met and

exceeded (Kelly: Figs. 6a-6d).

## Claim 15:

Kelly discloses all the elements of claim 13, as noted above, and Kelly further

discloses wherein the network comprises one of a publicly accessibly network, an

intranet, a wide area network, and a local area network (Kelly: column 4, lines 36-41 and

column 5, lines 10-13).

## Claim 16:

Kelly discloses all the elements of claim 3, as noted above, an Kelly further

discloses wherein the suggested location for the activity is identified through a latitude

and longitude (Kelly: column 8, lines 25-30 and column 11, lines 27-32).

**Claim 26:**

Kelly discloses a computer programmed to:

prompt a user to provide a user profile for a specific activity through a browser

(Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines

45-48);

compare the user profile through a web server and an application server with

forecasted weather information stored in a data store coupled to an archive database

and a geographic information database coupled to a web server through a product

generation segment (Kelly: column 4, lines 12-22 and column 6, lines 8-14);

identify a future time of day and suggested locations for the specific activity

(Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14; Providing the

user with a future time, date, and location would first require identifying a future time, date, and

location.); and

provide the user with a future time of day, a day of a month, and at least one

suggested location for the specific activity (Kelly: column 3, line 67 – column 3 and column 4,

lines 22-26 and column 6, lines 8-14).

**Claim 27:**

Kelly discloses all the elements of claim 26, as noted above, and Kelly further

discloses wherein to prompt a user to provide a user profile, said computer causes to be

displayed on a user device a computer generated screen listing a plurality of weather

parameter selections (Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines 45-48).

## Claim 28:

Kelly discloses all the elements of claim 26, as noted above, and Kelly further discloses wherein said computer further configured to update the pre-stored forecasted weather information, said computer configured to compare the user profile with updated, pre-stored, forecasted weather information (Kelly: column 4, lines 36-41).

## Claim 29:

Kelly discloses all the elements of claim 26, as noted above, and Kelly further discloses wherein said computer further configured to determine if any user profile weather parameters are exceeded by the pre-stored weather information (Kelly: column 4, lines 12-22 and column 6, lines 8-14 and Figs. 4a and 4b).

## Claim 30:

Kelly discloses all the elements of claim 26, as noted above, and Kelly further discloses wherein said computer further configured to determine if any user profile weather parameters are exceeded by the stored weather information (Kelly: column 4, lines 12-22 and column 6, lines 8-14 and Figs. 4a and 4b).

## Claim 31:

Kelly discloses all the elements of claim 27, as noted above, and Kelly further discloses wherein to provide the user with the future time of day, the day of the month, and the suggested location, said computer causes to be displayed on a user device information related to the time of day, the day of the month, and the suggested location

for the specific activity to be performed during which times the weather conditions at the suggested location is forecasted to fall within the parameter selections made by the user (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and Fig. 6a-6d).

## Claim 32:

Kelly discloses all the elements of claim 26, as noted above, and Kelly further discloses wherein to provide the user with the future time of day and the suggested location, said computer causes to be displayed on a user device information related to a clock time and the suggested location via a network (Kelly: Fig. 6a-6d).

## Claim 33:

Kelly discloses all the elements of claim 32, as noted above, and Kelly further discloses wherein to provide the user with the future time of day, the day of the month, and the at least one suggested location via the network, said computer causes an entry to be created in an electronic calendar for a clock time, on a date, that includes the at least one location at which weather parameters in the user preference profile are forecasted to be met (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and Figs. 6a-6d).

## Claim 34:

Kelly discloses all the elements of claim 32, as noted above, and Kelly further discloses wherein to provide the user with the future time of day, day of the month, and the suggested location via the network, said computer causes an entry to be created in a personal electronic calendar for a clock time, on a date that includes the at least one

location at which weather parameters in the user preference profile are forecasted to be

exceeded (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and

Figs. 6a-6d).

## Claim 35:

Kelly discloses a weather system comprising:

a first interface that enables a user to enter a profile of an activity into an expert

weather system (Kelly: column 5, lines 7-21);

a publicly accessible network that transfers data from the first interface (Kelly:

column 5, lines 7-21);

a remote server coupled to the publicly accessible network, the remote server

being configured to process weather data and the profile and identify a plurality of future

clock times and a location that correlate to the weather data and the activity entered by

the user (Kelly: column 4, lines 12-22 and column 6, lines 8-14); and

a second interface coupled to the remote server configured to receive the

plurality of future clock times and receive the location for the activity, the activity

occurring on one or more dates (Kelly: Fig. 4a and 4b).

## Claim 37:

Kelly discloses all the elements of claim 35, as noted above, and Kelly further

discloses wherein the remote server is further configured to identify a plurality of

locations that correlate to the weather and the activity (Kelly: column 11, lines 21-27).


## Claim 38:

Kelly discloses a computer programmed to:

prompt a user to provide a user profile for a specific activity through a browser

(Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines

45-48);

and then

compares the user profile through a web server and an application server with

forecasted weather information stored in a data store coupled to an archive database

and a geographic information database coupled to a web server through a product

generation segment (Kelly: column 4, lines 12-22 and column 6, lines 8-14); and then

identifies a future time of day and suggested locations for the specific activity

(Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14; Providing the

user with a future time, date, and location would first require identifying a future time, date, and

location.); and then

provides the user with a future time of day, a day of a month, and at least one

suggested location for the specific activity (Kelly: column 3, line 67 – column 3 and column 4,

lines 22-26 and column 6, lines 8-14); and then

updates the forecasted weather information stored in a data store coupled to an

archive database and a geographic information database (Kelly: column 4, lines 22-26); and

then

notifies the user of additional locations at which the specific activity should not be

performed in response to an updated weather forecast (Kelly: column 3, line 67 – column 3

and column 4, lines 22-26 and column 6, lines 8-14; When the user receives an updated forecast, the

weather results at the location will be known to the users. If the conditions are favorable, the user will

know he/she should consider the location with favorable conditions. If the conditions are not favorable, the user will know that he/she should not consider the location for the activity. So if conditions are good, perform the activity, if the conditions are bad do not perform the activity. This message is conveyed in the weather report presented to the user.).

## Claim 39:

Kelly discloses all the elements of claim 38, as noted above, and Kelly further discloses wherein the user is notified of cancelled times at which the specific activity was to be performed (Kelly: Figs. 6a-d).

## Claim 40:

Kelly discloses a computer programmed to:

prompt a user to provide a user profile for a specific activity through a browser (Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines 45-48); and then

compares the user profile through a web server and an application server with forecasted weather information stored in a data store coupled to an archive database and a geographic information database coupled to a web server through a product generation segment (Kelly: column 4, lines 12-22 and column 6, lines 8-14); and then

identifies a future time of day and suggested locations for the specific activity (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14; Providing the user with a future time, date, and location would first require identifying a future time, date, and location.); and then

provides the user with a future time of day, a day of a month, and at least one

suggested location for the specific activity (Kelly: column 3, line 67 – column 3 and column 4,

lines 22-26 and column 6, lines 8-14); and then

updates the forecasted weather information stored in a data store coupled to an

archive database and a geographic information database (Kelly: column 4, lines 22-26);

notifies the user of additional locations at which the specific activity can be

performed in response to an updated weather forecast (Kelly: column 3, line 67 – column 3

and column 4, lines 22-26 and column 6, lines 8-14; When the user receives an updated forecast, the

weather results at the location will be known to the users. If the conditions are favorable, the user will

know he/she should consider the location with favorable conditions. If the conditions are not favorable,

the user will know that he/she should not consider the location for the activity. So if conditions are good,

perform the activity, if the conditions are bad do not perform the activity. This message is conveyed in

the weather report presented to the user.).

## Claim 41:

Kelly discloses all the elements of claim 40, as noted above, and Kelly further

discloses wherein the forecasted weather information stored in the data store is

associated with a latitude, a longitude, and a clock time (Kelly: column 8, lines 25-30 and

column 11, lines 27-32 and Figs. 6a-6d).

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

3.      Claims 11, 17-25, and 36 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kelly in further view of U.S. Patent Number 6,199,008 issued to

Michael Aratow et al (hereinafter "Aratow").

## Claim 11:

Kelly discloses all the element of claim 4, as noted above, but Kelly does not

explicitly disclose the step of receiving weather information from at least one of NOAA

reports, weather towers, traffic, video, and construction and closure reports.

However, Aratow discloses the step of receiving weather information from at

least one of NOAA reports, weather towers, traffic, video, and construction and closure

reports (Aratow: column 8, lines 9-14 and Fig. 7).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of Kelly with the teachings of Aratow noted

above.  The skilled artisan would have been motivated to improve the teachings of Kelly

per the above such that weather reports from multiple weather information centers could

be retrieved over a computer network in order to enhance the precision of the generated

weather report (Aratow: column 8, lines 9-20).

## Claim 17:

Kelly discloses a system for providing weather-based decisions, said system

comprising:

a web-based device configured to receive a user profile (Kelly: column 4, lines 4-11

and column 5, lines 7-21 and column 10, lines 20-23 and column 11, lines 45-48; Note specifically Kelly:

column 5, lines 10-13. This reference clearly shows the submission and receiving of a user profile via an

Internet connection.);

a web server coupled to the web-based device through an Internet connection

(Kelly: column 5, lines 10-13); and

a database server coupled to a database comprising weather based information

(Kelly: Fig. 1; The 'Station Computer' is the database server and the 'Forecast Database" is the database

comprising weather information.); wherein

the web server is configured to prompt a user to provide a user profile for a

specific activity (Kelly: column 11, lines 9-12 and column 11, lines 45-48), to compare the user

profile with forecasted weather information stored in said database (Kelly: column 4, lines

12-22 and column 6, lines 8-14), and to provide the user with a clock time within a day, a

date, and a suggested location for the specific activity based on the user profile (Kelly:

column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14).

Kelly does not explicitly disclose wherein the weather based information

comprises National Oceanic and Atmospheric Administration information. However,

Aratow discloses wherein the weather based information comprises National Oceanic

and Atmospheric Administration information (Aratow: column 8, lines 9-14 and Fig. 7).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of Kelly with the teachings of Aratow noted

above. The skilled artisan would have been motivated to improve the teachings of Kelly

per the above such that weather reports from multiple weather information centers could

be retrieved over a computer network in order to enhance the precision of the generated

weather report (Aratow: column 8, lines 9-20).

## Claim 18:

The combination of Kelly and Aratow discloses all the element of claim 17, as

note above, and Kelly further discloses to prompt a user to provide a user profile, said

server causes to be displayed on a user device a computer generated screen listing a

plurality of weather parameters (Kelly: column 4, lines 4-11 and column 5, lines 7-21 and column

10, lines 20-23 and column 11, lines 45-48).

## Claim 19:

The combination of Kelly and Aratow discloses all the elements of claim 17, as

noted above, and Kelly further discloses wherein said web server is further configured

to update weather forecasts stored in said database (Kelly: column 4, lines 36-41).

## Claim 20:

The combination of Kelly and Aratow discloses all the elements of claim 19, as

noted above, and Kelly further discloses to compare the user profile, said web server is

configured to compare the user profile through a database query with an updated

forecasted weather information stored in said database comprising nationwide forecasts

associated with a latitude, a longitude, a date, and a time (Kelly: column 4, lines 12-22 and

column 4, lines 49-52 and  column 6, lines 8-14 and column 8, lines 25-30 and column 11, lines 27-32

and Fig. 1).

**Claim 21:**

The combination of Kelly and Aratow discloses all the elements of claim 17, as

noted above, and Kelly further discloses wherein said web server is further configured

to determine if any user profile weather parameters are exceeded by the information

stored in said database, the weather parameters including precipitation, wind, air

temperature, humidity, road conditions, cross winds, visibility and time (Kelly: column 4,

lines 12-22 and column 6, lines 8-14 and Figs. 4a and 4b).

**Claim 22:**

The combination of Kelly and Aratow discloses all the elements of claim 17, as

noted above, and Kelly further discloses wherein said web server is further configured

to determine if any user profile weather parameters are met by the information stored in

said database, the weather parameters including precipitation, wind, air temperature,

humidity, location, road conditions, cross winds, visibility and time (Kelly: column 4, lines

12-22 and column 6, lines 8-14 and Figs. 4a and 4b).

**Claim 23:**

The combination of Kelly and Aratow discloses all the elements of claim 17, as

noted above, and Kelly further discloses wherein to provide the user with at least one of

the plurality of clock times within the day and the suggested location, said web server

causes to be displayed on a wireless user device information related to the clock times

and a plurality of locations for the specific activity to be performed during which times

the weather conditions at those locations fall within parameter selections made by a

user (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and Figs. 6a-6d).

## Claim 24:

The combination of Kelly and Aratow discloses all the elements of claim 17, as noted above, and Kelly further discloses wherein to provide the user with the clock time within the day, the date, and the suggested location comprises the step of providing the user with a suggested time of day when providing the user with the suggested location through a web-based phone (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and Figs. 6a-6d and column 2, line 65 - column 3, line 2 and column 5, lines 59-62 and column 6, lines 64-67 and column 10, lines 41-46).

## Claim 25:

The combination of Kelly and Aratow discloses all the elements of claim 24, as noted above, and Kelly further discloses wherein to provide the user with the clock time within the day, the date, and the suggested location comprises the step of creating an entry in a personal electronic calendar for the clock time on the date at which weather parameters in the user preference profile are forecasted to be met or exceeded at the location through a wireless connection (Kelly: column 3, line 67 – column 3 and column 4, lines 22-26 and column 6, lines 8-14 and Figs. 6a-6d and column 2, line 65 - column 3, line 2 and column 5, lines 59-62 and column 6, lines 64-67 and column 10, lines 41-46).

## Claim 36:

Kelly discloses all the elements of claim 35, as noted above, but Kelly does not explicitly disclose wherein the second interface comprises a plurality of lines that forms a map.

However, Aratow discloses wherein the second interface comprises a plurality of lines that form a map (Aratow: column 2, lines 11-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kelly with the teachings of Aratow noted above. The skilled artisan would have been motivated to improve the teachings of Kelly per the above such that a user could be supplied with information the user can use to visualize the desired destination (Aratow: column 1, line 66 - column 2, line 3).

4.      Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in further view of U.S. Patent Number 6,298,307 issued to John M. Murphy et al. (hereinafter "Murphy").

**Claim 12:**

Kelly discloses all the elements of claim 4, as noted above, but Kelly does not explicitly disclose the step of receiving weather information from a plurality of surface mounted road sensors.

However, Murphy discloses the step of receiving weather information from a plurality of surface mounted road sensors (Murphy: column 4, lines 9-41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kelly with the teachings of Murphy noted above. The skilled artisan would have been motivated to improve the teachings of Kelly

per the above such that the sensors would return data that is indicative of a present

value of weather characteristics of a particular location at a particular period of time

(Murphy: column 4, lines 23-27).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-

0788. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patrick A. Darno
Examiner
Art Unit 2163

PD          Primary Examiner